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7 *Attorneys for Defendants State of California, acting
by and through the California Highway Patrol and
8 Officer Ramon Silva*

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 **SANDRA KIRKMAN AND CARLOS**
12 **ALANIZ, INDIVIDUALLY AND AS**
13 **SUCCESSORS-IN-INTEREST TO**
14 **JOHN ALANIZ, DECEASED,**

Plaintiffs,

15 v.

16 **STATE OF CALIFORNIA; RAMON**
17 **SILVA; AND DOES 1-10,**
18 **INCLUSIVE,**

Defendants.

Case No. 2:23-cv-07532-DMG-SSC

**DECLARATION OF DEPUTY
ATTORNEY GENERAL ASHLEY
REYES IN SUPPORT OF
DEFENDANTS' APPLICATION
FOR AN ORDER GRANTING
LEAVE TO FILE DOCUMENTS
UNDER SEAL**

Judge: Honorable Dolly M. Gee
Trial Date: April 15, 2024
Action Filed: July 28, 2023

19
20 I, Ashley Reyes, declare as follows:

21 1. I am a duly appointed Deputy Attorney General and am assigned to
22 represent Defendants in the above-captioned action. The facts set forth herein are
23 within my personal knowledge, except where otherwise indicated, and if called to
24 testify herein I could and would competently testify thereto.

25 2. Good cause exists for the instant application as the Declaration of Deputy
26 Attorney General Ashley Reyes in Support of Motion to Withdraw as Counsel
27 contains privileged attorney-client communications and attorney work product
28 related to the nature of the conflict disclosed to the Court to allow it to make an

1 informed ruling on the Attorney General’s motion to withdraw. The Ninth Circuit
2 has established that “[a]ttorney-client privileged materials, of course, are archetypal
3 examples of material that has traditionally been kept secret for important policy
4 reasons.” *Lambright v. Ryan*, 698 F.3d 808, 820 (9th Cir. 2012). Therefore,
5 attorney-client communications do not require “compelling reasons” nor a
6 “particularized showing of good cause” before such materials are filed with the
7 court under seal. *Kamakana v. Ciry & Cnty of Honolulu*, 447 F.3d 1172,1185; see
8 also *Hernandez v. Creative Concepts*, No. 2:10-cv-02132-PMP-VCF, 2013 WL
9 3864066, *9 (D. Nev. July 24, 2013) (“The Ninth Circuit ... recognizes that
10 attorney-client communications are ‘traditionally kept secret’ and would not require
11 ‘compelling reasons’ or a ‘particularized showing of good cause’ before such
12 materials are filed with the court under seal.”).

13 3. On November 19, 2024, I contacted Ms. Leap and informed her that my
14 office would be filing an *ex parte* application for an order granting leave to file
15 documents under seal. Ms. Leap indicated her office would likely be opposing the
16 request.

17 4. This application is being filed due to the need to file documents under
18 seal based on the attorney-client privileged communications contained therein, as
19 well as the need to file a motion to withdraw as counsel based on a conflict.

20 I declare under penalty of perjury under the laws of the United States of
21 America that the foregoing is true and correct.

22 Executed on November 27, 2024, at Fresno, California.

23
24 /s/ Ashley Reyes
25 Ashley Reyes
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